

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

HONBLE SRI BILAL NAZKI

ACTING CHIEF JUSTICE

and

HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO : 2216 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated
24/09/2004 in WP NO : 17363 OF 2004 on the file of the High Court.)

Between:

Akula Satyadevi, W/o Rama Rao
R/o Door No. 52-1-80/5 Narasimham Road, Kuntidevi Peta Kakinada, East
Godavari District

..... APPELLANT

AND

- 1 Kakinada Municipality, rep by Commissioner, Kakinada
Municipality, Kakinada, East Godavari District
- 2 The Revenue Divisional Officer, RDO., Office, Kakinda,
East Godavari District
- 3 The Mandal Revenue Officer, MRO Office,
Kakinada, E.G. District

.....RESPONDENTS

Counsel for the Appellant : MR.V.S.R.ANJANEYALU

Counsel for the respondent No.1: None appeared.

Counsel for the Respondent Nos.2 and 3: GP FOR REVENUE

The Court made the following :

ORAL JUDGMENT:

(per Hon'ble The Acting Chief Justice)

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1. The writ petition was filed complaining that respondents were trying to evict the writ petitioner from the land in question in violation of the law declared by various Court. The learned single Judge found that suit in O.S.No.1449 of 2000 was pending before the Civil Court and that the petitioner in the Civil Court had obtained decree restraining 1st respondent – Commissioner, Kakinada Municipality, from interfering with peaceful possession and enjoyment of the property. In those circumstances, the learned single Judge dismissed the writ petition as not maintainable.

2. We don't find any ground to interfere with the order passed by the learned single Judge. Accordingly the writ appeal is dismissed. No costs.

BILAL NAZKI. ACJ.,

DR. G.YETHIRAJULU. J.,

Dated: 11.04.2005.

VRK.

To

- 1 The Commissioner, Kakinada Municipality, Kakinada Municipality, Kakinada, East Godavari District
- 2 The Revenue Divisional Officer, RDO., Office, Kakinda, East Godavari District
- 3 The Mandal Revenue Officer, MRO Office, Kakinada,E.G. District.

- 4. Two CCs to G.P., for Revenue, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.

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**HON'BLE SRI BILAL NAZKI,
ACTING CHIEF JUSTICE
AND
HON'BLE DR. JUSTICE G.YETHIRAJULU.**

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W.A.NO. 2216 OF 2004.

**(Judgment of the Bench delivered by
Hon'ble The Acting Chief Justice)**

Dt: 11.04.2005.

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